



**CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF THE UNDERSECRETARY FOR HEALTH**

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Governor

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James W. Holsinger, Jr., M.D.
Secretary

To: All Kentucky Medicaid Providers

From: Shannon R. Turner, J.D.
Commissioner

Date: October 24, 2005

Subject: Limited English Proficiency

As you may know, as a recipient of federal dollars, the Cabinet for Health and Family Services and all of our contracted providers are required to provide language access services to clients with limited English proficiency (LEP). Discrimination based on LEP is considered discrimination on the basis of national origin under Title VI of the Civil Rights Act of 1964 and Executive Order 13166. Accordingly, Medicaid providers can not deny an individual with LEP any service, financial aid, or other benefit provided under the program; provide any service, financial aid or other benefit to an individual which is different, or is provided in a different manner, from that provided to others under the program.

The most important step in meeting this obligation is to provide the language assistance necessary to ensure such access, including qualified interpretation services, at no cost to the LEP person. According to the guidance issued by the U.S. Department of Health and Human Services, providers can assure effective communication by developing a language services plan that addresses the following four elements:

1. Assessment of the language needs of those eligible to be served, as well as the needs of each LEP individual.
2. Development of a policy on language services that specifies the range of competent oral interpreter services and translated written materials that will be available.
3. Training of staff to ensure that they understand the policies and have the ability to carry them out.
4. Monitoring to provide regular oversight of the language assistance program.

For more information about limited English proficiency and your obligations to provide language access, please visit the following websites:

- “Let Everyone Participate” Federal Interagency Working Group on Limited English Proficiency website:
<http://www.LEP.gov>
- U.S. Department for Health and Human Services Office of Civil Rights LEP information:
<http://www.hhs.gov/ocr/lep/>
- Hablamos Juntos Resource Center:
http://www.hablamosjuntos.org/resourcecenter/models_approaches_tools.asp
(This site includes free downloads of an excellent self-assessment and planning tool from the Interagency Working Group on LEP and “The Language Services Action Kit” from the Access Project and the National Health Law Program.)

In order to assist you in your efforts to comply with the requirement to provide language access to LEP clients, the Language Access Section of the Cabinet for Health and Family Services is available to help you in developing your language access plan and identifying cost-effective, qualified interpretation and translation resources in your area.

You can contact the Language Access Section Supervisor, Cathy Cox, by telephone at (502) 564-7770, ext. 3218, or via email at CathyJ.Cox@ky.gov.